

93^D CONGRESS
1ST SESSION

H. R. 11459

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 1973

Read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the fiscal
5 year ending June 30, 1974, for military construction func-
6 tions administered by the Department of Defense, and for
7 other purposes, namely:

8 MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equipment
10 of temporary or permanent public works, military installa-

1 tions, and facilities for the Army as currently authorized in
2 military public works or military construction Acts, and
3 in sections 2673 and 2675 of title 10, United States Code,
4 \$551,575,000, to remain available until expended.

5 **MILITARY CONSTRUCTION, NAVY**

6 For acquisition, construction, installation, and equipment
7 of temporary or permanent public works, naval installations,
8 and facilities for the Navy as currently authorized in military
9 public works or military construction Acts, and in sections
10 2673 and 2675 of title 10, United States Code, including
11 personnel in the Naval Facilities Engineering Command and
12 other personal services necessary for the purposes of this
13 appropriation, \$587,641,000, to remain available until ex-
14 pended.

15 **MILITARY CONSTRUCTION, AIR FORCE**

16 For acquisition, construction, installation, and equipment
17 of temporary or permanent public works, military installa-
18 tions, and facilities for the Air Force as currently authorized
19 in military public works or military construction Acts, and
20 in sections 2673 and 2675 of title 10, United States Code,
21 \$239,702,000, to remain available until expended.

22 **MILITARY CONSTRUCTION, DEFENSE AGENCIES**

23 For acquisition, construction, installation, and equipment
24 of temporary or permanent public works, installations, and
25 facilities for activities and agencies of the Department of

1 Defense (other than the military departments and the
2 Defense Civil Preparedness Agency), as currently author-
3 ized in military public works or military construction Acts,
4 and in sections 2673 and 2675 of title 10, United States
5 Code, to remain available until expended, not to exceed
6 \$20,000,000 to be derived by transfer from the appropria-
7 tion "Research, development, test, and evaluation, Defense
8 Agencies" as determined by the Secretary of Defense:
9 *Provided*, That such amounts of this appropriation as may
10 be determined by the Secretary of Defense may be trans-
11 ferred to such appropriations of the Department of Defense
12 available for military construction as he may designate.

13 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

14 For construction, acquisition, expansion, rehabilitation,
15 and conversion of facilities for the training and administra-
16 tion of the Army National Guard as authorized by chapter
17 133 of title 10, United States Code, as amended, and the
18 Reserve Forces Facilities Acts, \$35,200,000, to remain
19 available until expended.

20 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

21 For construction, acquisition, expansion, rehabilitation,
22 and conversion of facilities for the training and administration
23 of the Air National Guard, and contributions therefor, as
24 authorized by chapter 133 of title 10, United States Code, as

1 amended, and the Reserve Forces Facilities Acts, \$20,000,-
 2 000, to remain available until expended.

3 **MILITARY CONSTRUCTION, ARMY RESERVE**

4 For construction, acquisition, expansion, rehabilitation,
 5 and conversion of facilities for the training and administra-
 6 tion of the Army Reserve as authorized by chapter 133 of
 7 title 10, United States Code, as amended, and the Reserve
 8 Forces Facilities Acts, \$40,700,000, to remain available
 9 until expended.

10 **MILITARY CONSTRUCTION, NAVAL RESERVE**

11 For construction, acquisition, expansion, rehabilitation,
 12 and conversion of facilities for the training and administration
 13 of the reserve components of the Navy and Marine Corps
 14 as authorized by chapter 133 of title 10, United States
 15 Code, as amended, and the Reserve Forces Facilities Acts,
 16 \$22,900,000, to remain available until expended.

17 **MILITARY CONSTRUCTION, AIR FORCE RESERVE**

18 For construction, acquisition, expansion, rehabilitation,
 19 and conversion of facilities for the training and administra-
 20 tion of the Air Force Reserve as authorized by chapter 133
 21 of title 10, United States Code, as amended, and the
 22 Reserve Forces Facilities Acts, \$10,000,000, to remain
 23 available until expended.

24 **FAMILY HOUSING, DEFENSE**

25 For expenses of family housing for the Army, Navy,
 26 Marine Corps, Air Force, and Defense agencies, for con-

struction, including acquisition, replacement, addition, expansion, extension and alteration and for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$1,194,539,000, to be obligated and expended in the Family Housing Management Account established pursuant to section 501(a) of Public Law 87-554, in not to exceed the following amounts:

For the Army:

Construction, \$179,320,000;

For the Navy and Marine Corps:

Construction, \$103,947,000;

For the Air Force:

Construction, \$83,939,000;

For Defense agencies:

Construction, \$540,000;

For Department of Defense:

Debt payment, \$159,177,000;

Operation, maintenance, \$667,616,000.

Provided, That the amounts provided under this head for construction and for debt payment shall remain available until expended.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established pursuant to section 1013(d) of the Demonstration Cities

1 and Metropolitan Development Act of 1966 (Public Law
2 89-754, as amended), \$7,000,000.

3 ~~Section 101. Funds~~ GENERAL PROVISIONS

4 SEC. 101. Funds appropriated to the Department of
5 Defense for construction in prior years are hereby made
6 available for construction authorized for each such de-
7 partment by the authorizations enacted into law during the
8 first session of the Ninety-third Congress.

9 SEC. 102. None of the funds appropriated in this Act
10 shall be expended for payments under a cost-plus-a-fixed-fee
11 contract for work, where cost estimates exceed \$25,000, to
12 be performed within the United States, except Alaska, with-
13 out the specific approval in writing of the Secretary of
14 Defense setting forth the reasons therefor.

15 SEC. 103. None of the funds appropriated in this Act
16 shall be expended for additional costs involved in expediting
17 construction unless the Secretary of Defense certifies such
18 costs to be necessary to protect the national interest and
19 establishes a reasonable completion date for each project,
20 taking into consideration the urgency of the requirement,
21 the type and location of the project, the climatic and sea-
22 sonal conditions affecting the construction, and the applica-
23 tion of economical construction practices.

24 SEC. 104. None of the funds appropriated in this Act
25 shall be used for the construction, replacement, or reactiva-

tion of any bakery, laundry, or drycleaning facility in the United States, its territories, or possessions, as to which the Secretary of Defense does not certify, in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

SEC. 105. Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 106. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 107. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 108. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Naval Facilities Engineering Command, except: (a) where there is a determination of value by a

1 Federal court, or (b) purchases negotiated by the Attorney
2 General or his designee, or (c) where the estimated value is
3 less than \$25,000, or (d) as otherwise determined by the
4 Secretary of Defense to be in the public interest.

5 SEC. 109. None of the funds appropriated in this Act
6 may be used to make payments under contracts for any
7 project in a foreign country unless the Secretary of Defense
8 or his designee, after consultation with the Secretary of the
9 Treasury or his designee, certifies to the Congress that the
10 use, by purchase from the Treasury, of currencies of such
11 country acquired pursuant to law is not feasible for the pur-
12 pose, stating the reason therefor.

13 SEC. 110. None of the funds appropriated in this Act
14 shall be used to (1) acquire land, (2) provide for site
15 preparation, or (3) install utilities for any family housing,
16 except housing for which funds have been made available
17 in annual military construction appropriation Acts.

18 This Act may be cited as the "Military Construction
19 Appropriation Act, 1974".

Passed the House of Representatives November 14, 1973.

Attest:

W. PAT JENNINGS,

Clerk,